

REMARKS

Status of the Claims and Interview Summary

Applicants wish to thank Examiner Kubelik for extending the courtesy of the telephonic interview held on July 13, 2004 with Applicants' representative, Carol Fang. During this interview, a number of issues were clarified which helped Applicants to more fully address the concerns of the Examiner in their response submitted on July 22, 2004. Prior to the interview, claims 16-23, 31 and 53-65 were rejected under 35 U.S.C. §112, first paragraph as allegedly lacking adequate written description and enablement; and claims 16-23, 31 and 53-65 were rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite. During the interview, new claims 66-86, corresponding to cancelled claims 16-23, 31 and 53-64, were discussed with respect to these rejections.

As discussed during the interview, claims 66-86 are directed to a nucleic acid encoding a protein comprising a nucleic acid sequence encoding vacuole targeting polypeptide operably linked to a nucleic acid encoding a biotin binding protein selected from avidin, streptavidin, CORE streptavidin, synthetic CORE streptavidin, and SYNSAV. The Examiner indicated that claims reciting the aforementioned biotin binding proteins could be deemed allowable. Thus, based on the Examiner's comments during the interview, it is Applicants' understanding that in view of the amendments to the claims, the Examiner is favorably disposed toward withdrawing the rejections under 35 U.S.C. § 112, first paragraph. Applicants thank Examiner Kubelik for her time.

Appl. No. 09/743,690
Amdt. dated July 26, 2004
Reply to Office Action of July 20, 2004

PATENT

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at 415-576-0200.

Respectfully submitted,



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